

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

QUORUM HEALTH CORPORATION, *et al.*,

Debtor.

Chapter 11

Case No. 20-10766 (BLS)

DANIEL H. GOLDEN, AS LITIGATION
TRUSTEE OF THE QHC LITIGATION
TRUST, AND WILMINGTON SAVINGS
FUND SOCIETY, FSB, SOLELY IN ITS
CAPACITY AS INDENTURE TRUSTEE

Plaintiffs,

v.

COMMUNITY HEALTH SYSTEMS, INC.;
CHS/COMMUNITY HEALTH SYSTEMS,
INC.; REVENUE CYCLE SERVICE CENTER,
LLC; CHSPSC, LLC; PROFESSIONAL
ACCOUNT SERVICES, INC.; PHYSICIAN
PRACTICE SUPPORT, LLC; ELIGIBILITY
SCREENING SERVICES, LLC; W. LARRY
CASH; RACHEL SEIFERT; ADAM
FEINSTEIN; AND CREDIT SUISSE
SECURITIES (USA) LLC,

Defendants.

Adv. Pro. No. 21-51190 (BLS)

**DEFENDANTS COMMUNITY HEALTH SYSTEMS, INC., CHS/COMMUNITY
HEALTH SYSTEMS, INC., REVENUE CYCLE SERVICE CENTER, LLC, CHSPSC,
LLC, PROFESSIONAL ACCOUNT SERVICES, INC., PHYSICIAN PRACTICE
SUPPORT, LLC, ELIGIBILITY SCREENING SERVICES, LLC, W. LARRY CASH,
RACHEL SEIFERT, AND ADAM FEINSTEIN'S MOTION TO DISMISS**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, made applicable to these proceedings by Rule 7012 of the Federal Rules of Bankruptcy Procedure, and for the reasons set

forth in the accompanying memorandum (the “Memorandum”) in support of this motion (the “Motion”), defendants Community Health Systems, Inc., CHS/Community Health Systems, Inc., Revenue Cycle Service Center, LLC, CHSPSC, LLC, Professional Account Services, Inc., Physician Practice Support, LLC, Eligibility Screening Services, LLC, W. Larry Cash, Rachel Seifert, and Adam Feinstein (together, the “Movants”) hereby respectfully move for dismissal with prejudice of certain counts in the complaint (Adv. D.I. 1) (the “Complaint”) filed by Plaintiffs Daniel H. Golden, in his capacity as Litigation Trustee of the QHC Litigation Trust (the “Litigation Trustee”), and Wilmington Savings Fund Society, FSB, in its capacity as Indenture Trustee under that certain indenture identified in the Complaint.

Specifically, the Movants move for dismissal with prejudice of the following counts of the Complaint: Counts I, II, III, IV, XI (in part), XII, XIII, XIV and XV, and any claims contributed or held by any individual noteholders (the “Individual Noteholder Claims”), as against all Movants; and Counts V, VI, VII and VIII as against Adam Feinstein.

Pursuant to Rule 7012 of the Federal Rules of Bankruptcy Procedure and Rule 7012-1 of the Local Rules of Bankruptcy Practice and Procedure for the United States Bankruptcy Court for the District of Delaware, the Movants advise the Court that they consent to the entry of a final order or judgment by this Court with respect to the claims asserted against them by the Litigation Trustee in this adversary proceeding if it is determined that the Court, absent consent of the parties, cannot enter a final order or judgment consistent with Article III of the United States Constitution. Although the Movants submit the Court does not have subject matter jurisdiction over the Individual Noteholder Claims, if the Court determines it does have jurisdiction over such claims, the Movants consent to the entry of a final order or judgment by this Court with respect to the

Individual Noteholder Claims if it is determined that the Court, absent consent of the parties, cannot enter a final order or judgment consistent with Article III of the United States Constitution.

WHEREFORE, the Movants respectfully request that this Court enter an order in substantially the form attached hereto as Exhibit A and grant such further relief as the Court may deem necessary and proper.

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Dated: January 14, 2022
Wilmington, Delaware

YOUNG CONAWAY STARGATT
& TAYLOR LLP

/s/ Michael S. Neiburg
Michael S. Neiburg (DE No. 5275)
YOUNG CONAWAY STARGATT
& TAYLOR LLP
Rodney Square
1000 North King St.
Wilmington, DE 19801
Tel.: (302) 571-6600
Fax: (302) 571-1253
mneiburg@ycst.com

Counsel for Defendants Community Health Systems, Inc., CHS/Community Health Systems, Inc., Revenue Cycle Service Center, LLC, CHSPSC, LLC, Professional Account Services, Inc., Physician Practice Support, LLC, Eligibility Screening Services, LLC, W. Larry Cash, Rachel Seifert, and Adam Feinstein

ROBBINS, RUSSELL, ENGLERT, ORSECK
& UNTEREINER LLP

Gary A. Orseck (admitted *pro hac vice*)
Alison C. Barnes (admitted *pro hac vice*)
William J. Trunk (admitted *pro hac vice*)
Jack A. Herman (admitted *pro hac vice*)
Lauren C. Andrews (admitted *pro hac vice*)
Jason A. Shaffer (admitted *pro hac vice*)
2000 K Street, N.W., 4th Floor
Washington, D.C. 20006
Tel: (202) 775-4500
Fax: (202) 775-4510
gorseck@robbinsrussell.com

Counsel for Defendants Community Health Systems, Inc., CHS/Community Health Systems, Inc., Revenue Cycle Service Center, LLC, CHSPSC, LLC, Professional Account Services, Inc., Physician Practice Support, LLC, Eligibility Screening Services, LLC, W. Larry Cash, and Rachel Seifert

ROLNICK KRAMER SADIGHI LLP

Marc B. Kramer (admitted *pro hac vice*)
Matthew Peller (admitted *pro hac vice*)
1251 Avenue of the Americas
New York, New York 10020
Tel: (212) 597-2800
Fax: (212) 597-2801
mkramer@rksllp.com

Sheila Sadighi (admitted *pro hac vice*)
300 Executive Drive
West Orange, New Jersey 07052

Counsel for Defendant Adam Feinstein